E & P. H. **(1941) Department.**

'Ms. **SERIES.**

**G.O. No.** 1010.

16

**Dated** 11-3-41.

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## [Despatch Abstract.]

Licence--Bellary Municipal Council--Sathyanarayana ginning factory--Installation of an oil engine of 50 h.p.--Orders passed.

By Papers Con 31.10.40

C.F. 32.

In reply, please quote number, date and short title.*

Revenue DEPARTMENT.

Received 31 OCT 1940 Registered

From (Name) A.D.Cromie C.I.E., I.C.S.,

(Designation) Collector

Post Box ____, (Station) Bellary 4/1836

*Telegraphic Address* ____

To

The Secretary to Government,
Local Administration Department, M A D R A S.

D.Dis. No. 3511/40, dated 26-10-1940

Sir,

Enclosures ____

Spare Copies ____

Licence - Bellary Municipality - Satyanarayana Ginning Factory - Change of machine - Permission.

Ref: G.O. 4054 P.H. dated 3-9-1940.
Government Memo 29537-2 E-1 P.H. dated 31-7-40/17-10-40. (X)

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In resolution No. 19 dated 28-2-1940, the Municipal Council, Bellary granted a licence for the installation of a 50 H.P. oil engine in place of the existing one of 40 H.P. in the Satyanarayana Ginning Factory which is outside the industrial area of the Municipality. As the grant of such a licence is in contravention of the orders contained in para 2(ii) of G.O. No. 108 P.H. dated 9-1-1940, the irregular action of the Municipality was brought to the notice of Government in this office D.Dis. 1145/40 dated 17-7-1940. Accordingly the Government in their memo 29537-e-E.1 P.H. dated 31-7-1940 directed the Council either to rescind its resolution or to show cause within a fortnight why the Government should not take action under section 252 of the District Municipalities Act directing the cancellation of the permission accorded by the Council for the installation of a 50 H.P. oil engine in a non-industrial area. Instead of acting as per the directions of the Government, the Council in its resoluti No. 1 dated 23-9-1940 has requested Government to drop

further

further action, on the ground that permission was granted for merely replacing a new engine in the place of an old and worn out one in an existing factory in a locality where a number of factories are existing.

The resolution of the council is not to the point. The existence of several factories in the locality is no reason for granting the licence for the installation of a 50 H.P. oil engine in a non-industrial area. An industrial area is demarcated with a view to shift all the existing factories in the non-industrial area eventually to industrial area. Obviously the Council is not for cancelling its resolution. As the action of the Council contravenes the orders contained in para 1(1) of the appendix of G.O. no. 4054 P.H., dated 3-9-1940, I request the Government to take action under Section 252 of the District Municipalities Act.

- 26xcco

P.O. 26/10. 26.10.

For Collector.

E & PH

C No 44836. From the Coll[r] of Bellary No 3511 of 25-10-40

Memo 44836-1 E.PH of 8/11/40

License. Bellary NL-61.

Sathyanarayana Ginning factory. Change of machinery

Keep clean copy please

The attention of the Coll[r] of Bellary is invited to para 2 (2) of G.O No 4054 PH of 3-9-40 and he is requested to report (c) whether the Shifting of the Sathyanarayana Ginning factory to the industrial area would cause undue hardship to the proprietors and whether the removal ~~housing~~ of this factory ~~is particularly objectionable and dangerous to public health~~ can be reasonably insisted upon with particular refce to ~~what there are~~ several others factories existing in the locality. (c) 9/11

He is also requested to state if measures for mitigating the nuisance are likely to be successful *

SRM 8/11/40.

To the Coll[r] of Bellary

✓ 11/11

if the existence of the factory is a danger to p.h or a nuisance that cannot be abated only by removal.

SRM 8/11

Rem. 8-12-40

Education and Public Health Department.

Memorandum No. 44836-1El P.H. dated 8th November 1940.

From the Collector of Bellary, No. 3511 dated 25th October 1940.

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License - Bellary Municipal Council - Sathanarayana Ginning factory - change of machinery.

****

The attention of the Collector of Bellary is invited to paragraph 2(2) of G.O.No. 4054 P.H. dated 3rd September 1940 and he is requested to report whether the shifting of the Sathanarayana Ginning factory to the industrial area would cause undue hardship to the proprietors and whether the removal of this factory can be reasonaly insiste upon with particuler reference to other factories existing in the locality. He is also requested to state if measures for mitigating the nuisance are likely to be unsuccessful and if the existence of the factory is a danger to public health or a nuisance that must and can be abated only by removal.

E.C.Wood,
Secretary to Government.

To the Collector of Bellary.

....

Forwarded

(By order)

Superintendent.

Revenue. DEPARTMENT.

In reply, please quote number, date and short title.*

*Received* _____ *Registered* _____

6566

From (Name) A.D.Crombie, Esq.,C.I.E.,I.C.S.,

(Designation) Collector,

Post Box _____, (Station) Bellary,

*Telegraphic Address* _____

21 FEB 1941 ... PUBLIC HEALTH DEPARTMENT

To

The Secretary to Government,
Education & Public Health Department,
Fort St.George, Madras.

D.Dis. *No.* 5056/40Bl, *dated* 18 -2-41. 19

Sir,

ENCLOSURES _____

SPARE COPIES _____

License - Bellary Municipal Council - Sathyanarayana Ginning Factory - Change of Machinery - Remarks Offered.

--

I inspected the factory on 6-2-1941 along with the Municipal Commissioner, Bellary. A copy of his report dated 7-12-40 is enclosed. I agree with him generally . Para 2(2) G.O.No.4054 dated 3-9-40 states that the prime mover should be ordinarily limited to twenty, but in this case it is fifty. Undoubtedly, the shifting of the factory will cause hardship and the nuisance to some extent be abated by insisting on a 30 ft Chimney.

The matter is however, one of general principle. There are five factories in the locality at present and they undoubtedly cause a serious nuisance to the Head Quarters Hospital and to the residential buildings in the neighbourhood as can be readily seen from the plan enclosed. In this connection the attention of the Government is invited to G.O.No.438 P.H., dated 29-1-41, in which a concession has been granted to Messrs. Thimmappa & Bros., whose factory is at the City Press , the nearest of all to the Head-quarter Hospital. The permission to instal new machinery,even though given only for the duration of the war, will inevitably render enforcement at the end of the war/of an order to move the factory to the industrial area harder to impose. As however such per-

mission

permission has been granted to an adjoining factory similar permission may be given in the present case without prejudice to any orders that may be passed after the war regarding moving the factory to the industrial area.

Abdul Khan
19/2/40

HVR.19.2. For Collector.

Encl:- Copy of Commissioner's 8176/40.
Sketch.

19/2

Ag 2-84

C.F. 32.

In reply, please quote number, date and short title.*

Local Administration DEPARTMENT.

*Received* *Registered*

From (Name) Sri.K.Venkatadri Choudary, B.A.,

(Designation) Commissioner, Bellary Municipality,

Post Box....., (Station) Bellary.

*Telegraphic Address*

To

The C O L L E C T O R,
Bellary.
Through the Revenue Divisional Officer Bellary

C.No. 8176/40 Dated 7-12-1940. 194 .

Sir,

*

Sub:- License - Bellary Municipal Council - Sathyanarayana Ginning Factory - Change of machinery Reply sent.

Ref:- Your Ref.5056/40 dated 16th November 1940.

*****

Enclosures.....

.....

.....

Spare Copies.....

The Sathyanarayana Ginning Factory lies on the East of Sindigi Road in an area which was sometime known as "Tolerated area" though it is not an industrial area. On the North of the factory, there is the city Press run by both steam and oil engines with a total output of 96 Horse Power. On the East, there are two factories, the Bombay Company with an output of about 80 Horse power (steam engine) and Mr.Sadick Sahib's factory run by both steam engine and oil engine with a total output of 30 Horse Power. On the South, there is the factory of Sri.Agadi Mareeappa with an output of 120 Horse Power (oil engine). Thus this factory has similar factories on the North, East and South and a public street on the West.

2. The factory buildings and land belong to one Sri.S.Siddabasappa, while the machinery belongs to the joint proprietors Messrs.Buran Khan and N.Kumarappa who have taken the factory building and godowns on lease They have replaced the previous old prime-mover of 46 Horse Power (oil engine) by one of 50 Horse Power

50 Horse Power (oil engine). This replacement by one of higher Horse power strains the concession allowed by para 2(2) of the principles appended to Government order No.4054 P.H., dated 3-9-1940.

3. There are some residential buildings in close proximity to this factory in the same compound. The nearest of them is about 150 feet from the factory proper, while the farthest is about half a furlong from it. In the ginning season, when the factory works in full swing, the whole premises will be full of carts carrying merchandise. The nuisance to the dwellers in the residential buildings will then be terrible both on account of smoke, dust and floating cotton fibre, and also on account of the noise, vibration, din and bustle.

4. The question of tolerating this factory may be considered only in cases the Proprietor of the premises will prevent the use of the buildings in the premises for residential purpose. There will be some difficulty to enforce this condition as the owners of the machinery are different from the owner of the premises as already reported above. The chimney of the factory has also to be raised to a height of atleast 30 feet from the ground level, so that the nuisance from the smoke discharged from the chimney may be as little as possible.

Commissioner.

skr/7.12.

7.12.40

Copy submitted to the Collector, Bellary.

# SKETCH SHOWING
## THE SATHYANARAYAN & OTHER GINNING FACTORIES
IN 'E' WARD

Scale 1" : 33'

N

W E

S

TRUNK ROAD

Municipal High School

GOSCHEN PARK

KATTERUDDAN HILL

RESERVOIR

Hospital Buildings

Hospital Servants Qrts.

CITY PRESS

SATHYA NARAYANA GINNING FACTORY

Compound Wall

BOMBAY CO Ginning & Pressing Factory

KHAN BHADER GINNING FACTORY

VANKA STREET

COLLECTOR'S BUNGALOW

LONDON MISSION Buildings

TRUNK ROAD

CONSERVATOR OF FORESTS BUNGALOW

S No 440

REFERENCE :-

ROADS

RESIDENTIAL BUILDINGS

FACTORIES

SATHYANARAYAN GINNING FACTORY

OTHER BUILDINGS

Sd/- S. Subramaniam

COMMISSIONER 9.2.41

C No. 448.36, From the Collr. of Bellary D" Dis No 3511 & 25-10-40

License: | Bellary Nl -cl. Sathya-
narayana Ginning factory - change of
machinery - Cancellation of permission

The Collector has sub- Mitted
Whether the Bellary Nl -cl. has
~~such~~ taken" or . proposes to take any
action in the case of the Sathyanarayana
Ginning factory with reference to
our Mems. 29537-2 E. P1+ & 17-10-40.
~~para 4 (1) of G. O No. 4056 P H & 3-9-40. It may be mentioned that
under para 4 of this G. O. the Council
may possibly defer action till the
end of the Cusum year.~~ It is therefore
for orders whether as recommended by the
Collector any direction under Sec. 252 of the
N. D. M. Act, 1920 may be issued now.
on the resolution of the Council No. 1 & 23-9-40
~~for orders~~ or ask the Council whether
they propose to take any
action with reference to the
above mems.

I think this may be
left to the Mpl Council
to be dealt with under
Go at (J) ~~orders~~

~~For orders~~

G.O. No. 108PH dy 9.1.40
on which the memo at (X)
got going (N/4(X))
has been repeated and G.O. at (C)
now takes its place.

For orders
SRM
6.11.40
S.

Coll. had better report
from the point of view of (2)
in (C); — whether there is
undue hardship. Whether the
factory is particularly objectionable
& soon.

Ent
8/11/40.

The draft below is for sgnt.

SRM
8/11/40.

[ Now 44836-1 E, PH dy 8-11-40]

C No-6566, from the Collr of Bellary No 5058 dy 18.10.40

The Collr. of Bellary reports that the shifting of the factory will cause hardship but that the nuisance to the Head quarter Hospital and to the residential buildings in the neighbourhood will be abated to some extent by insisting on a 130 ft. chimney

(I) He suggests that Concession similar to that granted to Messrs. Thimmappa & Bros. in G.O No. 438 PH dt 29-1-41 may be granted to the Sathyanarayana Ginning factory also although such a concession given for the duration of the war will create difficulties at the end of the war.

(X) 10 (X) 6 2. The resolution of the Council in reply to Memo. No. 29537-1 E, PH dt 31-7-40 contains the request that the Govt. may drop the matter. There is no information whether the Council has taken any action with reference to Memo. No. 29537-2 E, PH dt 17-10-40 and whether the Commr. has granted already the license for 1940-41 under Sec. 249 of the M. D. M. Act, 1920, under Sec. 252 of the Act, the Govt. can give any directions they deem fit in the matter.

(X) 13

(I) 3. The orders in G.O No. 438 PH dt 29-1-41 were issued in the case of Messrs. Thimmappa & Bros. at the instance of the Dr. of Industries & Commerce. It is for consideration whether the suggestion of the Collector to extend the concession granted in this G.O. to the present case also will be agreed to by Govt. subject to the condition that the

§ 1102 of the Madras Code Vol III

chimney is raised to a height of 30 feet.
For orders.

27/2/41

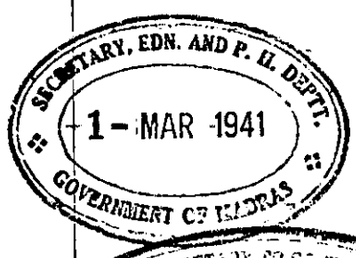
The change of horse-power is only from 46 to 50 and is no serious matter. It is seen from the sketch that there are the factories which from their position must be more offensive than the factory in question (eg) the Bombay Co factory Agasi Narayya factory which are quite close to residential buildings. The boiler's inspection report inclines to the same impression. The factory in question may be allowed to remain on condition of putting up a 30 ft chimney, and on the understanding that it will be required to shift itself to an industrial area whenever the Govt so direct.

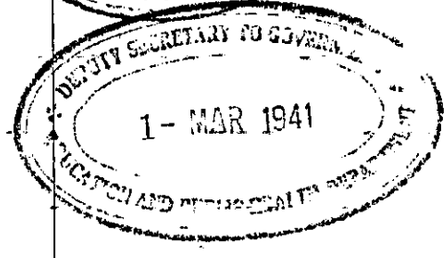
28/2

28/2

Yes

A3.




The draft below is for approval.

6/3

6/3

5-3-41

BD 11/3.

53/11.3

EaP14

C No. 44836, From the Collr. of Bellary No. 3511 dt 25-10-40
6566 —do. 5056 dt 18.2.41

Order Rs

1010 dt. 11. 3. 41.

License - Bellary Mu. Cl. Sathyanarayana grinding facts Installation of an oil engine of 50 h.p. Orders passed

(X) 5

In its resolution dt 28-2-40, the Bellary permitted the installation an oil engine of 50 h.p. place of an oil engine of hi the Sathyanarayana [redacted] factory which is outside the industrial areas of the muni In Memo. No. 29537-1 E.P.H. dt the Mu. Council was called upon to show cause why action should not be taken by Govt. under Sec. 252 of the M.D.M. Act, 1920 in the matter. In resolution No. 1 dt 23-9-40, the Council stated that permission was granted by it for merely installing ~~replacing~~ a new engine in the

Is this 40? or 46?
Subsd. it is 40-vide 'A' on p. 1 of and the Council's resolution on p. 10 of Memo 29537-2 E.P.H. dt 17-10-40

(Y) 6/3 The Commr. (V) refers as '46' 6-T 1-74

JD 6241 Commr says 46

Issued (Y) 10

WS 6/3

5-3/11-3

11/3.

E&P 4

C No. 44836, From the Coll-r of Bellary No. 3511 d 25-10-40
6566 —do. 5056 d 18.2.41

Order No

1010 d. 11. 3. 41.

License - Bellary Ml-cl. Sathyanarayana ginning factory Installation of an oil engine of 50 h.p. Orders passed

In its resolution No. 19 d 28-2-40 the Bellary Ml-cl permitted the installation of an oil engine of 50 h.p. in place of an oil engine of ~~46~~ 40 h.p in the Sathyanarayana ginning factory which is outside the industrial areas of the municipality In Memo. No. 29537-1 E,P+S d 31-7-40 the Ml-Council was called upon to show cause why action should not be taken by Govt. under Sec. 252 of the M.-D.-M.-Act, 1920 in the matter. In resolution No. 1 d 23-9-40, the Council stated that permission was granted by it for merely ~~replacing~~ installing a new engine in the

(X) 5

Is this 40? or 46?
Subsd. it is 40-vide 'A' on p. 4 ante and the Council's resolution on p. 10 of Memo 29537-2 E,P+S d 17-10-40

(X) 6/3 The Commr. says, it is '46' 6-1-74

J.D. 6/3/74 Commr says 46

Issue Ms 6/3

(X) 10

place of an old worn out one
And requested that further action
might be dropped

2 The Collector of Bellary who has inspected made a local inspection reports that the shifting of the factory from its present site to the industrial area will cause hardship to the owner of the ginning factory and suggests that the factory may be allowed to work if the chimney is raised to a height of 30 feet ~~from the ground level~~ so that the nuisance to the Head-quarters hospital and to the residential buildings in the neighbourhood will be abated to some extent.

'A' on p 8 of

p 5 of

3. Under Sec. 252 of the M.D.M. Act, 1920, the Govt. are pleased to direct ~~the M. Council~~ that the ginning factory ~~should~~ may be allowed to work at its present site on condition that the chimney is raised to a height of 30 feet ~~from the ground level~~ and on the understanding that the factory ~~is~~ will be required to shift itself to ~~on~~ the

industrial area whenever Govt. they see so direct.

G
3/3

WS
6/3.

JD
5-3-61

Sd/- Illegible
11.3.61.

To the Commr. Bellary Mly
this the C.R.C
Collr. of Bellary
Supdt of Mines & L Bds